

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 3 TO LEASE AGREEMENT FC-6034-94 WITH HOST – TACO JOY, J.V. TO ADD APPROXIMATELY 7,333 SQUARE FEET OF SPACE ON CONCOURSES T, A, B AND D IN THE CENTRAL PASSENGER TERMINAL COMPLEX AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES

WHEREAS, the City of Atlanta ("City") and Host – Taco Joy J.V. ("Host-Taco") entered into an Agreement and Lease of Premises dated April 1, 1995 ("Lease Agreement") for premises in the Terminal Building and Concourses of the Central Passenger Terminal Complex at Hartsfield-Jackson Atlanta International Airport; and

WHEREAS, the City and Host-Taco desire to amend the Lease Agreement to add approximately 7,333 square feet of Exclusive Leased Premises on Concourses T, A and D to provide for expansion of Concessions food and beverage operations for the benefit of passengers; and

WHEREAS, Host-Taco will pay all costs for base building and tenant improvements including design, construction and equipment fixtures; and

WHEREAS, the Aviation General Manager and Host-Taco agree that the addition of these food and beverage concepts are desired services for the accommodation and convenience of the passengers and general public using Concourses T, A, B and D; and

WHEREAS, the additional stores are needed to better serve the public and it is in the best interest of the City to approve the amendment of the lease for this space.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to execute Amendment No.3 to Lease Agreement FC-6034-94, Food & Beverage Concession Package Two, with Host – Taco Joy, J.V. which will:

- 1) add approximately 560 square feet of space by Gate T-6, as depicted on the drawings, attached hereto as Exhibit A and made part hereof by reference; and
- 2) add approximately 891 square feet of space by Gate T-4, as depicted on the drawings, attached hereto as Exhibit A and made part hereof by reference; and
- 3) add approximately 550 square feet of space by Gate T-7, as depicted on the drawings, attached hereto as Exhibit A and made part hereof by reference; and
- 4) add approximately 532 square feet of space by Gate A-16, as depicted on the drawings, attached hereto as Exhibit A and made part hereof by reference; and

5) add approximately 2,400 square feet of space by Gate D-14, as depicted on the drawings, attached hereto as Exhibit A and made part hereof by reference; and

6) add approximately 2,400 square feet of space by Gate D-3, as depicted on the drawings, attached hereto as Exhibit A and made part hereof by reference.

BE IT FURTHER RESOLVED, that corresponding adjustments will be made in the applicable rentals and charges due the City under the Lease Agreement.

BE IT FURTHER RESOLVED that the City Attorney is directed to prepare an appropriate Amendment for execution by the Mayor.

BE IT FINALLY RESOLVED that the Amendment will not become binding on the City , and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Host – Taco Joy, J.V.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Transportation

Caption:

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Council Meeting Date: October 16, 2006

Requesting Dept.: Aviation

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to authorize the Mayor to execute Amendment Number 3 to the Lease Agreement (FC-6034-94) with Host-Taco Joy JV to add approximately 7,333 square feet located on Concourse T, A and D at Hartsfield-Jackson Atlanta International Airport.

2. Please provide background information regarding this legislation.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Concession Agreement

(b) **Source Selection:** Space is being made available to expand concessions on Concourses T, A and D to provide additional food and beverage stores to meet customer demand. Delta is providing space on Concourses T and A to add greatly needed food service capacity. The Department of Aviation constructed new space on Concourse D that will provide new food and beverage locations. The new food units in these areas will bring better food selection, quality-dining experiences, and increased revenue to the Airport. Estimated revenue from the additional space is \$9 million per year and additional rent paid to the City will be \$1.1 million.

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:**

4. **Fund Account Center:** N/A

5. **Source of Funds:** *Example: Local Assistance Grant* N/A

6. **Fiscal Impact:** approximately \$200,000.00 in rent per year

7. **Method of Cost Recovery:** N/A

This Legislative Request Form Was Prepared By: Kyle Mastin

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton

M Middleton

Contact Number: 6207

Originating Department: Aviation

Committee(s) of Purview: Transportation

Council Deadline: September 25, 2006

Committee Meeting Date(s): Oct. 11, 2006 Full Council Date: October 16, 2006

Commissioner Signature

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CAPTION

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FINANCIAL IMPACT (if any) \$ 200,000.00 per year in rents

Mayor's Staff Only

Received by Mayor's Office:

9/28/06
(date) *bw*

Reviewed by:

JP

Submitted to Council:

9/29/06
(date)